

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

PERRY A. WILCOX,	:	
	:	
Plaintiff,	:	Civ. No. 21-17905 (RBK) (MJS)
	:	
v.	:	
	:	
JODY HIRATA, et al.,	:	<b>MEMORANDUM &amp; ORDER</b>
	:	
Defendants.	:	
	:	

Plaintiff is a pretrial detainee proceeding *pro se* with a proposed amended civil rights complaint filed pursuant to 42 U.S.C. § 1983. (*See* ECF 8). Previously, this Court granted Plaintiff's application to proceed *in forma pauperis*. (*See* ECF 4). Typically, this Court would now screen Plaintiff's proposed amended complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine whether the proposed amended complaint is frivolous or malicious, fails to state a claim upon which relief may be granted, or whether Plaintiff seeks monetary relief from a defendant who is immune from suit. However, since filing the proposed amended complaint, Plaintiff has submitted several documents that could be construed as Plaintiff seeking to add claims/parties to his proposed amended complaint. (*See* ECF 9, 10, 12, 13 & 14). Such piecemeal attempts by Plaintiff to amend his amended complaint are not permitted. *See Lewis v. Sessions*, No. 17-5475, 2017 WL 7313822, at \*6 (D.N.J. Nov. 3, 2017) ("neither Fed. R. Civ. P. 8, which governs pleadings, nor Fed. R. Civ. P. 15, which governs amended and supplemental pleadings, permits [a plaintiff] to submit ... addenda to his Complaint in ... piecemeal fashion"). Instead, Plaintiff needs to file one all-inclusive proposed second amended complaint.

Accordingly, Plaintiff shall be given a short period of time in which to file a proposed all-inclusive second amended complaint that contains all of the claims Plaintiff seeks to bring in this

action. Should Plaintiff not file a proposed all-inclusive second amended complaint within the time allotted, this Court will only screen those claims and allegations found in his proposed amended complaint, ECF 8.

Accordingly, IT IS on this 5<sup>th</sup> day of September, 2023,

ORDERED that Plaintiff shall have thirty (30) days from the date of this order in which to submit an all-inclusive proposed second amended complaint that will still be subject to this Court's *sua sponte* screening; should Plaintiff fail to do so within the time allotted, this Court will screen only those claims and allegations found within Plaintiff's proposed amended complaint, ECF 8; and it is further

ORDERED that for case management purposes only, the Clerk shall administratively terminate this case; this case shall be reopened upon Plaintiff filing a proposed all-inclusive second amended complaint, or, if Plaintiff chooses not to file a proposed all-inclusive amended complaint, upon the expiration of the time for Plaintiff to do so as outlined in this order; and it is further

ORDERED that the Clerk shall serve this order and a blank copy of prisoner civil rights complaint form (DNJ-ProSe-006-ProSePrisCvRhtsCmpFrm-STANDARD-(Rev.12-2020) on Plaintiff by regular U.S. mail.

s/ Robert B. Kugler  
ROBERT B .KUGLER  
United States District Judge